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## Compliance With the Worker Protection Standard

Joyce S. Hornstein  
*Iowa State University*

Jim Ellerhoff  
*Iowa Department of Agriculture and Land Stewardship*

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## **COMPLIANCE WITH THE WORKER PROTECTION STANDARD**

Joyce S. Hornstein  
Extension Program Specialist  
Department of Entomology  
Iowa State University

Jim Ellerhoff  
Pesticide Bureau  
Iowa Department of Agriculture and Land Stewardship  
Des Moines, Iowa

### **Results From Survey of Private Pesticide Applicators**

Farmers and others that use pesticides for agricultural crop production are required to comply with the Worker Protection Standard (WPS) that is part of the Federal Insecticide, Fungicide and Rodenticide Act. Iowa State University's Extension Service has provided training and information about WPS through private pesticide applicator training programs since the winter of 1993. Iowa State University Extension has provided other sources of information to farmers including radio programs, articles in popular farm magazines and presentations to farmer groups. Also, the Iowa Department of Agriculture and Land Stewardship has provided funding for distribution of thousands of WPS publications to farmers.

After several years of training and distribution of WPS-related publications, how well is the WPS understood? Are farmers getting the information they need to comply with the Standard? Using the results of this survey will help us to improve our educational efforts about the WPS. The grant to support development of this survey and the analysis of the results was obtained through the Iowa Department of Agriculture and Land Stewardship with funds that were provided through the U.S. Environmental Protection Agency.

In early 1996, we distributed the WPS survey at private pesticide training meetings and over 10,000 private pesticide applicators completed the survey. We asked them some general questions about their farm operation including who handled and applied pesticides, the types of employees hired, how well they understood the standard, their level of compliance, and cost of compliance. We also asked them specific questions about certain requirements of the WPS, such as the difference in requirements for family versus non-family employees.

#### **Results of Survey**

In response to who applied and handled pesticides, 96 percent indicated themselves, 29 percent hired custom applicators and 23 percent indicated that other family members handled or applied pesticides. Bean walkers and crop advisors were hired by 12 percent and 8 percent of the respondents, respectively. Of this group, 10 percent were seasonal or migrant workers.

Private pesticide applicators rated their average level of understanding about the WPS as 6 (on a 10-point scale with 10 being a very high level). They ranked their level of compliance with the Standard to be 7. The costs associated with WPS compliance was estimated to be \$235 per year. The top-ranked cost items are purchase of protective clothing, safety equipment and time spent for education/training.



Under the WPS there are different requirements depending on whether you employ family members or non-family members in your farm operation. We asked the private applicators several questions to determine the level of understanding for the two sets of expectations. In general, farmers understood the requirements of the Standard that dealt with immediate family members better than those requirements dealing with non-family members. This difference is not surprising because about 80 percent of the applicators do not employ family members in their farm operation. Posting of pesticide information at a central location, displaying safety posters and emergency care information, and providing decontamination supplies, were some of the least understood parts of the WPS.

However, even though the survey showed that the applicators had some weak areas of understanding about the Standard, only 15 percent wanted to receive more training about WPS, 54 percent indicated that they did NOT want more training and 31 percent were undecided. When asked for comments about the type of information that was needed to comply with WPS, only 2 percent of those surveyed had a comment. The majority of those comments were that they "needed more information."

The results of this survey give us some indication of the general understanding that farmers have about the WPS and topics that we should focus on during training sessions. Actual examples of how farmers have complied with decontamination and posting of safety information may help to improve understanding of these issues. Another area where we need to focus our attention is to get information to the over 60,000 farmers that are NOT certified pesticide applicators. This group may have limited access to the detail of the WPS.

### **Worker Protection Standard Amendments**

The EPA has adopted seven amendments to the revised Worker Protection Standard since the regulation became effective. The amendments relate to: Crop Advisors, Limited Contact Exceptions, Reduced REI for Low Risk Pesticides, Irrigation Exceptions, Training Requirements, Decontamination, and Warning Signs.

#### **WPS Update: Crop Advisors**

In April 1995, EPA completed a final rule amendment to the Worker Protection Standard (WPS) that exempts certified or licensed crop advisors and persons under their direct supervision while performing crop advisor tasks from WPS provisions except for pesticide safety training. The exemption established by this action allows certified or licensed crop advisors to choose appropriate protection to be utilized while performing crop advising tasks in treated areas after the end of pesticide application. This rule also establishes a temporary exemption for all persons while doing crop advising tasks in order to allow time to acquire certification or licensing.

#### **WPS Update: Limited Contact Exception**

In April 1995, EPA completed an exception to the Worker Protection Standard (WPS) that would allow, under specified conditions, workers to enter pesticide treated areas during a restricted entry interval (REI) to perform tasks that involve limited contact with pesticide treated surfaces. The REI is the time period after a pesticide application when workers may not enter a pesticide treated area without protective clothing. Under the WPS, each pesticide label specifies an REI, usually ranging from 12 to 72 hours. The 1992 WPS limited worker early entry activity in treated areas under an REI to 1 hour in a 24 hour period. This exception allows workers the flexibility during an REI to perform limited contact tasks that could not have been foreseen and which, if delayed, would cause significant economic loss. At the same time, the exception includes significant provisions to limit pesticide exposure and risk to employees performing limited contact tasks.



**WPS Update: Reduced REI for Low Risk Pesticides**

In April 1995, EPA completed a pesticide regulation action that would reduce the restricted entry intervals (REIs) from 12 hours to 4 hours for certain low risk pesticides covered by the Worker Protection Standard (WPS). This action to reduce REIs applies only to low risk pesticide products that have active ingredients on the candidate list published in the Federal Register Notice of this action. The EPA established a selection criteria for active ingredients with low toxicity, which would make products with these active ingredients eligible for shorter REIs. As a result of this action, a list of 114 active ingredients, currently subject to WPS requirements, were determined to meet the lower toxicity criteria.

**WPS Update: Irrigation Exception**

In April 1995, EPA completed an exception to the Worker Protection Standard (WPS) that would allow, under specified conditions, workers to enter pesticide treated areas during a restricted entry interval (REI) to perform irrigation tasks. Under the WPS, each pesticide label specifies an REI, usually ranging from 12 to 72 hours. The 1992 WPS limited worker early entry activity in treated areas under an REI to 1 hour in a 24 hour period. Through public comments received by EPA, it helped to persuade them that there could be significant economic impacts if certain irrigation tasks were prohibited during the REI. Therefore, the Agency is granting an exception to the early entry prohibition for certain irrigation activities.

**WPS Update: Training Requirements**

In April 1995, EPA completed a final rule amendment to the Worker Protection Standard (WPS) regarding the grace period (time before a worker must be trained) and the retraining interval for worker pesticide safety training. As of January 1, 1996, the agricultural employer shall assure that a worker receives basic pesticide safety information before they enter a treated area on the establishment. This would provide basic safety information to workers while they wait for the complete WPS pesticide safety training which is required within the first 5 days of entering a treated area. The agricultural employer must assure the information is communicated to agricultural workers in a manner they can understand.

**WPS Update: Decontamination**

In June 1996, EPA amended the Worker Protection Standard (WPS) to reduce the number of days decontamination supplies (soap, water, paper towels) are required to be available to workers after application of pesticides which are low risk and have Restricted Entry Intervals (REIs) of four hours or less. Through a screening process, EPA has determined that certain pesticides with REIs of four hours or less pose low potential risk, and that the current thirty day decontamination requirement is not appropriate for these pesticides, EPA is unwilling to alter the thirty day decontamination requirement for other pesticides. For those pesticides which qualify for the reduced period, employers may still chose to provide decontamination supplies for longer periods of time.

**WPS Update: Warning Signs**

In June 1996, EPA amended the Worker Protection Standard (WPS) to modify the warning sign size and language requirements. Language substitution on the sign allows agricultural employers to tailor the sign to accommodate a work force whose predominant language is neither English nor Spanish. Allowing smaller signs in nurseries and greenhouses will facilitate posting of treated area. The posting and lettering requirements for the smaller signs will result in sign sizes of approximately 7 inches by 8 inches and 4 1/2 inches by 5 inches.